

Hidalgo County Sheriff's Office
Texas Public Information Act Office
711 El Cibolo Road
Edinburg, TX 78541

February 8, 2019

This is a follow up to a previous request:

To Whom It May Concern:

I wanted to follow up on the following Texas Public Information Act request, copied below, and originally submitted on Oct. 10, 2018. Please let me know when I can expect to receive a response.

Thanks for your help, and let me know if further clarification is needed.

Filed via MuckRock.com

E-mail (Preferred): 62203-59622077@requests.muckrock.com

Upload documents directly: https://www.muckrock.com/accounts/agency_login/hidalgo-county-sheriffs-office-5528/cellhawk-62203/?uuid-login=5506752f-0e3d-43b6-9ee0-6c999af95eaa&email=erin.thorn%40da.co.hidalgo.tx.us#agency-reply

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News
DEPT MR 62203
411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

January 7, 2019

Ms. Erin D. Thorn
Assistant District Attorney
Hidalgo County
100 East Cano
Edinburg, Texas 78539

OR2019-00378

Dear Ms. Thorn:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the “Act”), chapter 552 of the Government Code. Your request was assigned ID# 744856 (ORR# 2018-0161-DA.SO).

The Hidalgo County Sheriff’s Office (the “sheriff’s office”) received a request for all documents referencing Hawk Analytics, Inc. (“Hawk”) and a specified product, including any contracts, subscriptions, e-mails, training documents, and statistical reports. Although the sheriff’s office takes no position regarding whether the submitted information is excepted from disclosure, you state its release may implicate the proprietary interests of Hawk. Accordingly, you state, and provide documentation showing, you notified Hawk of the request for information and of its right to submit arguments to this office. *See* Gov’t Code § 552.305(d); *see also* Open Records Decision No. 542 (1990) (statutory predecessor to section 552.305 permits governmental body to rely on interested third party to raise and explain applicability of exception in the Act in certain circumstances). We have reviewed the submitted information.

Initially, we note you have not submitted information responsive to the portion of the request pertaining to the contract. To the extent any information responsive to this portion of the request existed on the date the sheriff's office received the request, we assume the sheriff's office has released it. If the sheriff's office has not released any such information, it must do so at this time. *See Gov't Code §§ 552.301(a), .302; see also Open Records Decision No. 664 (2000) (if governmental body concludes no exceptions apply to requested information, it must release information as soon as possible).*

An interested third party is allowed ten business days after the date of its receipt of the governmental body's notice under section 552.305(d) of the Government Code to submit its reasons, if any, as to why information relating to that party should be withheld from public disclosure. *See Gov't Code § 552.305(d)(2)(B).* As of the date of this ruling, we have not received comments from Hawk explaining why the information at issue should not be released. Thus, we have no basis to conclude Hawk has a protected proprietary interest in the submitted information. *See id.* § 552.110; Open Records Decision Nos. 661 at 5-6 (1999) (to prevent disclosure of commercial or financial information, party must show by specific factual evidence, not conclusory or generalized allegations, release of requested information would cause that party substantial competitive harm), 552 at 5 (1990) (party must establish *prima facie* case that information is trade secret), 542 at 3. Therefore, the sheriff's office may not withhold the submitted information on the basis of any proprietary interest Hawk may have in the information.

We note some of the information at issue may be protected by copyright. A custodian of public records must comply with the copyright law and is not required to furnish copies of records that are copyrighted. Open Records Decision No. 180 at 3 (1977). A governmental body must allow inspection of copyrighted materials unless an exception applies to the information. *Id.*; *see* Open Records Decision No. 109 (1975). If a member of the public wishes to make copies of copyrighted materials, the person must do so unassisted by the governmental body. In making copies, the member of the public assumes the duty of compliance with the copyright law and the risk of a copyright infringement suit. As no exceptions to disclosure are raised, the sheriff's office must release the submitted information; however, any information protected by copyright may only be released in accordance with copyright law.

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at http://www.texasattorneygeneral.gov/open/orl_ruling_info.shtml, or call the Office of the Attorney General's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for

providing public information under the Act may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



James M. Graham
Assistant Attorney General
Open Records Division

JMG/som

Ref: ID# 744856

Enc. Submitted documents

c: Requestor
(w/o enclosures)

Third Party
(w/o enclosures)

CellHawk +

New Tab x

C a https://hawkanalyticstech.com

Apps d Main Web Client d T2D Employee Port. d Cell Hawk l CLEAR o LEEP Logon

CASE MANAGER

CellHawk

Case Number

Case Number	Description	Created	Actions
Mission PD Case 19-205690		2018-09-18 01:31:25 PM	L1, L2, L3, L4
Mission PD Case 14-270332		2018-09-18 01:27:10 PM	L1, L2, L3, L4
18-01054		2018-09-16 05:00:35 PM	L1, L2, L3, L4
782115-17-0030	ATF	2018-07-17 05:52:22 PM	L1, L2, L3, L4
warrants		2018-05-11 05:08:37 PM	L1, L2, L3, L4
17-003403		2018-05-14 06:42:33 PM	L1, L2, L3, L4
17-47205		2018-05-11 06:21:10 PM	L1, L2, L3, L4
User 22	Training	2018-05-10 01:20:22 PM	L1, L2, L3, L4
Training		2018-05-09 08:11:11 PM	L1, L2, L3, L4
Cellhawk training		2018-05-08 08:58:50 PM	L1, L2, L3, L4

Page 1 of 5 View 1 - 10 of 43

FROM SUPPORT@HAWK

ANNOUNCEMENTS

You Talked, We Listened – CellHawk Follow On Update
Posted October 6, 2018 by nicole@hawkanalyticstech.com

Hawk Analytics, Inc. has pushed out an update over one weekend based on user feedback on our huge Fix Update – revamp release two weeks ago. The latest release includes: New Color Themes – choose from more colors to display your analysis Multiple Print Agents – ability to set multiple servers for a single listener at a time [READ MORE](#)

Hawk Analytics at IACM
Posted October 6, 2018 by nicole@hawkanalyticstech.com

Come out and visit the Hawk Booth at the International Association of Chiefs of Police for the 125th Conference and Exposition in Orlando, FL October 8-9, 2018. We look forward to seeing you there! <http://www.thecpcconference.org/> [READ MORE](#)

Dallas and New York Trainings Almost Full!
Posted October 6, 2018 by nicole@hawkanalyticstech.com

Our two upcoming classes are almost full! If you were planning on registering for our October Dallas, TX area or November, CA training do it quick before all spots are gone! Less than 10 seats left in each to register for either class. Visit our training page here. We are working to have more training in

ACCOUNT INFO

Agency: Hidalgo County (TX) Sheriff's Office
User: Javier.Vargas@hckdapso.org
Change Password

Cases: 43
Phones: 96
Records: 255,559
Queues: Unlimited

Renewal: 2019-09-23 Renewal Due in 335 days

PHONE LOOKUP

Search Q S

Preservation Letter... i Search Warrant... i

FAQS

Why do I see my AT&T TURBO 3G in both my locations? [View Detail](#)

How Do I Edit/Update Addresses in my Contact? [View Detail](#)

How Do I Generate my Virtual Return? [View Detail](#)

Where/Specify Locations device ID: [View Detail](#)

I have uploaded my GPS file, why are no records are showing on the map? [View Detail](#)

How do I upload my cell site list that I downloaded from NIDCAC into CellHawk? [View Detail](#)

Will CellHawk Adjust for Time Zone? [View Detail](#)

Why Is My Telephone Still Missing in a Straight Line? [View Detail](#)

Why Is My Verizon VoLTE File Not Loading? [View Detail](#)

Why Is my CellSite extraction sometimes not being generated? [View Detail](#)

Why do I receive an ATEI mobility return and a location report for one location number in my return? [View Detail](#)

CELLULAR TECHNOLOGY IN THE NEWS

Sheriff's Investigator's testimony highlights large bank transactions by Patterson
Posted October 11, 2018 by nicole@hawkanalyticstech.com

Much of the whereabouts Monica Melisa Patterson had thus far focused heavily on the theft and manipulation of a faulty charges and fees and less on the more serious allegation of corpse murder. Patterson was not the exception. Testimony from Hidalgo County Sheriff's Office investigator Adam Patterson, who was called to the stand to detail [READ MORE](#)

Mansion Murders Suspect Searched for Hideout Cities on Phone, Witness Testifies
Posted October 11, 2018 by nicole@hawkanalyticstech.com

In the days following the murder of three members of a D.C. family and their housekeeper, the man accused of committing the crime searched for locations with no extradition fees and hideout spots for his phone on his telephone, an expert witness testified Tuesday. Clinton Morris is charged with murder in the death of Savana Sandovics, 45. [READ MORE](#)

Presidental Alert: US mobile phones get test message
Posted October 8, 2018 by nicole@hawkanalyticstech.com

CellBank

Apps

Cell Hawk

TAAP Employee Port.

Cell Hawk

CLEAR

LEP Login

https://hawkeytics.com

Cell Hawk

Case Manager

ANNOUNCEMENTS

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Presidental alert: US mobile phones get test message

Posted October 8, 2018 by nicoe@hawkeytics.com

ACCOUNT INFO

Agency: Hidalgo County (TX) Sheriff's Office

User: bauer.vargase@hidalgo.org

CHANGE PASSWORD

Cases: 43

Phones: 96

Records: 285,559

Quota: Unlimited

Renewal: 2019-09-23

Renewal Due in 338 days

PHONE LOOKUP

Create New Case

Description

Created

Actions

Robbery	2018-04-30 03:02:51 PM	L1 L2 L3
18-018326	2018-05-13 09:16:07 PM	L1 L2 L3
18-08801	2018-05-08 08:58:48 PM	L1 L2 L3
18-03649	2018-02-16 05:13:18 PM	L1 L2 L3
Hidalgo PD Case	2018-02-08 04:15:14 PM	L1 L2 L3
192b	2017-11-21 04:40:57 PM	L1 L2 L3
17-43738	2017-11-08 04:58:23 PM	L1 L2 L3
17-40945	2017-10-18 05:35:06 PM	L1 L2 L3
17-40788	2017-10-17 02:45:49 PM	L1 L2 L3
17-33192	2017-08-22 11:55:38 PM	L1 L2 L3

Page 2 of 5 [View 11 - 20 of 43](#)

FAQS

My Subin records were provided today in UTC. How do I change the time zone?

Why is my AT&T T-Mobile OOS report in both in disparate locations?

How do I bulk upload Addresses into Cellhawk?

How Do I Import/Export/Version/Return?

What are Google locations device ID's?

I have uploaded my GPS file, why are no points are showing on the map?

How do I upload my cell site list that I downloaded from NDCAC into Cellhawk?

Will Cellhawk adjust for Time Zone?

Why is my CellSite File Missing in a specific Link?

Why is my Network File TIE file Not Loading?

Why is my CellSite extraction sometimes not being detected?

Why do I see an AT&T mobility report and a Landline report for one report number in my account?

Cellhawk + New Tab G https://hawkanalytics.com

← ↻ apps Intranet Web Client TAP Employee Po. Cell Hawk CLEAR LEEP Login

CASE MANAGER

[Create New Case](#)

Case Number	Description	Created	Actions
17-22447		2017-05-05 05:01:54 PM	1 ↗ 2
17-20904		2017-05-30 08:25:01 PM	1 ↗ 2
17-20289		2017-05-21 05:06:37 PM	1 ↗ 2
17-18820		2017-05-09 01:12:08 PM	1 ↗ 2
17-16125		2017-05-05 06:45:56 PM	1 ↗ 2
17-06391		2017-02-23 06:55:38 PM	1 ↗ 2
16-20513	Daniel Sedda	2016-10-07 04:02:15 PM	1 ↗ 2
16-new		2016-10-07 05:22:11 AM	1 ↗ 2
16-37216	Amberlee Carter (Julie's Sonnen)	2016-09-21 10:00:25 PM	1 ↗ 2
16-33304		2016-09-01 02:25:30 PM	1 ↗ 2

1 ↗ 2 Page 3 of 5 View 21 - 30 of 43

FROM SUPPORT@HAWK

ANNOUNCEMENTS

[You Talked. We Listened – CellHawk Follow On Update](#)
Posted October 8, 2018 by [nico@hawkanalytics.com](#)

CellHawk, Inc. has pushed out an update over the weekend based on user feedback on our huge ping feature to expand our users and their talent genome includes: New Color Palette – choose from more colors to display your analysis. Multiple Ping Alerts – ability to set multiple alerts for a ping listener at a time. [READ MORE](#)

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[Dallas and Norman Trainings Almost Full!](#)
Posted October 8, 2018 by [nico@hawkanalytics.com](#)

Our first upcoming classes are almost full! If you were planning on registering for our greater Dallas, TX area or Norman, OK training do it quick before all spots are gone! Less than 10 seats left in each. To register for either classes visit our calendar page here. We are awaiting in turn confirmation in

ACCOUNT INFO

Agency: Hidalgo County (TX) Sheriff's Office
User: javier.vargas@hidalgo.org.org
Change Password

Cases: 43	Phones: 96	Records: 255,559
Quota: Unlimited		
		Renewal: 2019-09-23
		Renewal Due in 335 days

PHONE LOOKUP

[Create New Case](#) 1 [Search Warrant...](#) 1

FAQS

My Search records were provided today in UTC. How do I change the time zone?

What is my AT&T/Cingular rate card in different locations?

How Do I Set Up/Address My CellPhone?

How Do I Determine My Verizon Return?

Where are Specific Locations Device ID's?

I have uploaded my GPS file, why are no points are showing on the map?

How do I upload my cell site list that I downloaded from NOCAC and CellHawk?

Will CellPhone Adjust for Time Zone?

Why Is My Mobile File Missing in a StrainLine?

Why Is My Verizon Voice File Not Loading?

Why Is My CellPhone Location Information Not Being Received?

Why do I receive an alert message

CELLULAR TECHNOLOGY IN THE NEWS

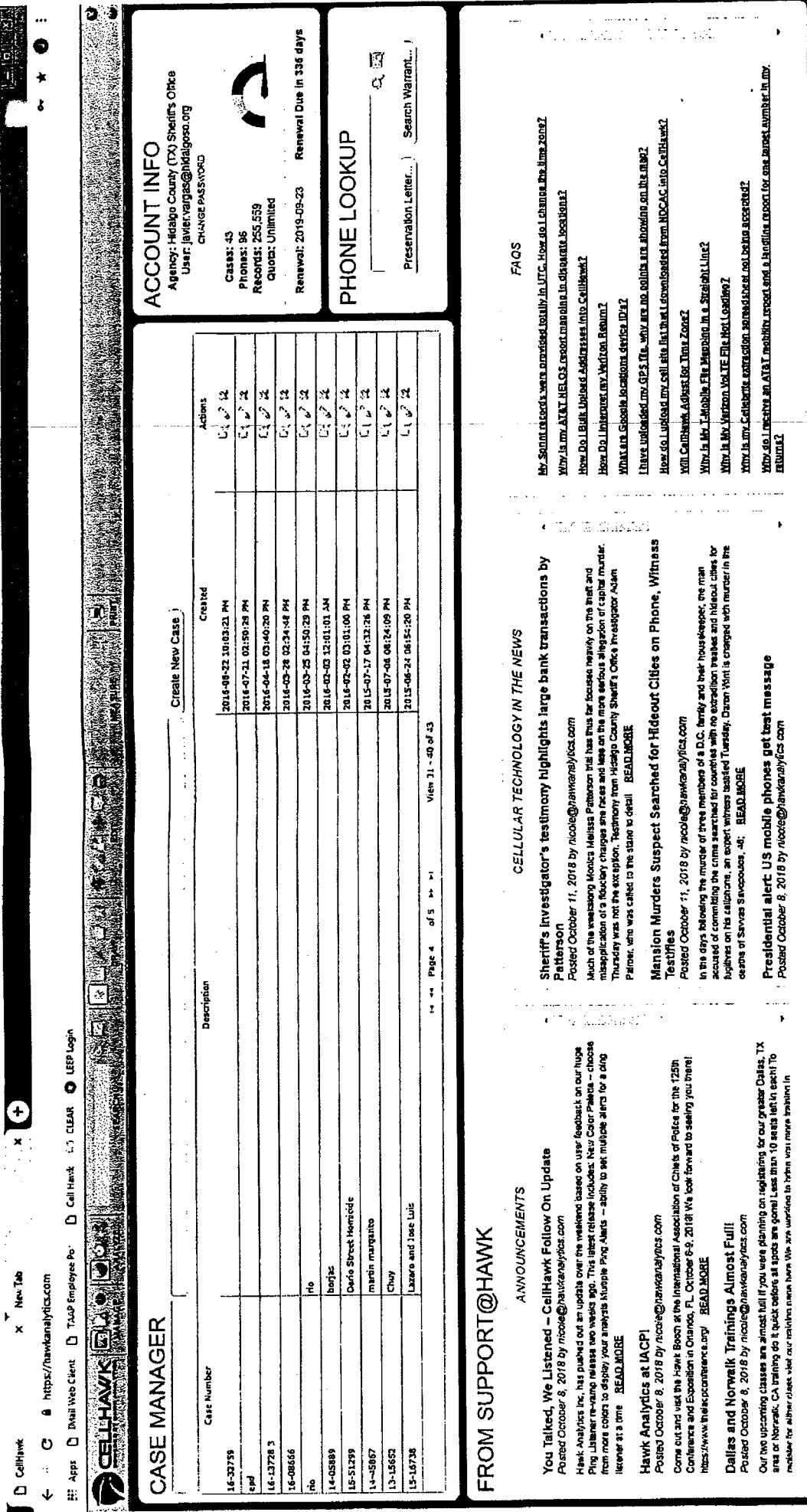
[Sheriff's Investigator's testimony highlights large bank transactions by Patterson](#)
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[Presidential alert: US mobile phones get test message](#)
Posted October 8, 2018 by [nico@hawkanalytics.com](#)



Call Hawk New Tab

← G https://hawkanalytics.com

409s Hawk Web Client TIAO Employee Port- Call Hawk CLEAR LEEP Login

CASE MANAGER

ACCOUNT INFO

Agency: Hidalgo County (TX) Sheriff's Office
User: javier.vargas@hidalgo.org
Change Password

PHONE LOOKUP

Q Search

Preservation Letter: Search Warrant:

FAQS

My Search records were recorded daily in UTC. How do I change the time zone?

Why is my AT&T HLR's arrival information in disparate locations?

How Do I Bulk Download Addresses into Call Hawk?

How Do I Unsubscribe My Witness Return?

What are "Social" locations device ID's?

What is the difference between my GPS file, while are 10 points are stored on the GPS?

Why is my mobile file imported in a straight line?

Why is my mobile file not loading?

Why is my cellular attachment sometimes not being recorded?

Why do I receive an AT&T mobile alert a binding report for case barrel number in my return?

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Our two upcoming classes are almost full! If you are planning on registering for our greater Dallas, TX area or Northern, CA training do a quick search as spots are gone! Less than 10 seats left in each! To register for either class visit <http://hawkanalytics.com>

From: "Tim Smith" <tim@hawkanalytics.com>
To: "javier.vargas@hidalgoso.org" <javier.vargas@hidalgoso.org>
Subject: CellHawk
Date: 7/25/2018 2:36:55 PM

Hello Javier

I hope you are doing well. I just wanted to remind you that your Cellhawk account is up for renewal in approximately 60 days (9/23/18). I also wanted to confirm that you received the invoice I sent you. Thank you

Best Regards,

Tim Smith, DEA (ret)
Hawk Analytics, Inc. | CellHawk
Customer Success Team
(469) 373-HAWK (4295) ext 704 (PST)
hawkanalytics.com

REGISTER NOW to receive access to Support@Hawk – a **FREE** resource for anyone in law enforcement who works with cell phone Call Detail Records (CDRs). Get access to a Free Phone Look-up Tool, Legal Process Templates, Reference Library, Carrier Information, News & Events, Investigations Resources, CellHawk Support, *and much more...*

From: "Tim Smith" <tim@hawkanalytics.com>
To: "javier.vargas@hidalgoso.org" <javier.vargas@hidalgoso.org>
Subject: CellHawk
Date: 6/26/2018 4:09:11 PM

Hello Javier

Hope you are doing good and all continues to go well with CellHawk. Your account is coming up for renewal in approximately 90 days (9/24/18) and I would like to begin the renewal process to avoid any interruption in service. I have attached an invoice for your convenience. Please let me know if you have any questions.

Best Regards,

Tim Smith, DEA (ret)
Hawk Analytics, Inc. | CellHawk
Customer Success Team
(469) 373-HAWK (4295) ext 704 (PST)
hawkanalytics.com

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From: "Tim Smith" <tim@hawkanalytics.com>
To: "javier.vargas@hidalgoso.org" <javier.vargas@hidalgoso.org>
Subject: CellHawk
Date: 3/23/2018 10:02:40 AM

Hello Javier

My name is Tim Smith and I am the Director of Customer Success at CellHawk. I am trying to make sure all is well with your CellHawk experience and inquire if your department would be interested in some refresher training. Please let me know if I can assist you.

Best Regards,

Tim Smith, DEA (ret)
Hawk Analytics, Inc. | CellHawk
Customer Success Team
(469) 373-HAWK (4295) ext 704 (PST)
hawkanalytics.com

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From: "Nicole Poser" <mailer@scheduleonce.com>
To: "javier.vargas" <javier.vargas@hidalgoso.org>
Subject: Booking confirmed: CellHawk Training Webinar
Date: 1/30/2018 11:35:54 AM

Your booking is confirmed

Dear Javier Vargas,

Your booking is confirmed. See below for more information. If the event is not already in your calendar, please use the calendar links provided below to add it.



Booking details

Event type

CellHawk Training Webinar

Time

Fri, Feb 9, 2018, 10:00am - 11:00am

United States; Central time (GMT-6:00)

Cancel/Reschedule

Training Webinar Info

<https://www.gotomeet.me/NPoser>

Tracking ID

468800FA



Calendar event

If the event is not already in your calendar, you may add it from here:

[Add to Outlook Calendar](#)

[Add to Google Calendar](#)

[Add to Apple Calendar](#)

[Mobile and other calendars](#)



Your information

Full Name (first and last)

Javier Vargas

Organization

Hidalgo County Sheriffs Office

Organization State

Texas

From: "Support Team" <support@hawkanalytics.com>
To: javier.vargas@hidalgoso.org
Subject: Important Fix - CellHawk Update for Sprint CDRs
Date: 12/28/2017 3:23:32 PM

*** You are receiving this IMPORTANT email again since our records show you did not open the initial email sent a couple weeks ago ***

Earlier this month, **CellHawk** was updated to process Sprint text message time zones that are in GMT. A few weeks ago, we became aware that beginning in June 2017, Sprint may provide text message time stamps in GMT if the referenced NEID is in the 540-559 range.

We encourage all users to review Sprint records uploaded since June of 2017, as the time zone conversion for the text message may contain an incorrect conversion if the above NEID's were referenced. Reloading the records will alleviate any miscalculation.

This update was brought to our attention by a **CellHawk** user. We encourage our users to email support@hawkanalytics.com anytime you become aware of a new file format.

Please contact us with any questions.

Nicole Poser
Hawk Analytics, Inc. | CellHawk
Director of Customer Success
O (469) 373-HAWK (4295) - ext 702 (CST)
HawkAnalytics.com

This email was sent to javier.vargas@hidalgoso.org
[why did I get this?](#) [unsubscribe from this list](#) [update subscription preferences](#)
Hawk Analytics · 2652 FM 407 · Suite 215-E · Bartonville, TX 76226 · USA

From: "Support Team" <support@hawkanalytics.com>
To: javier.vargas@hidalgoso.org
Subject: Important Fix - CellHawk Update for Sprint CDRs
Date: 12/18/2017 1:26:23 PM

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HawkAnalytics.com

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